

THE HON. RICARDO S. MARTINEZ

Trial Date: 12/06/2021

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STEPHANIE J. THOMAS,

Plaintiff,

vs.

FIRST NATIONAL INSURANCE  
COMPANY OF AMERICA,

Defendant.

No. 2:20-cv-1670 RSM

STIPULATION AND ORDER AMENDING  
DISCLOSURE DEADLINE FOR MEDICAL  
EXAMINATION REPORT

NOTED FOR: 4/21/2021

**I. RELIEF REQUESTED**

The parties by and through their attorneys of record, stipulate to and request an order to allow Defendant to disclose any expert reports arising out of the medical examination of Plaintiff by July 9, 2021.

**II. GROUNDS FOR MOTION**

This case involves a claim by Plaintiff Stephanie Thomas for payment of underinsured motorist (“UIM”) benefits, and related extra-contractual claims raised by her related to that coverage. Ms. Thomas was involved in a motor vehicle accident in January 2015, and seeks payment under the UIM provisions of her insurance policy with Defendant First National



Insurance Company of America (“FNIC”). Ms. Thomas seeks damages associated with injuries she relates to the accident.

The parties have cooperated in coordinating agreed terms for a medical examination of Ms. Thomas, to take place in a mutually agreeable time and location. Specifically, Ms. Thomas is willing to attend an exam occurring on Whatcom or Skagit Counties. Defendant’s chosen examiner, Dr. James Harris, is able to travel to a convenient location for Ms. Thomas, but not until shortly following the current Fed. R. Civ. P. 26(a)(2) expert disclosure deadline in this matter, set for June 9, 2021.

To facilitate a medical examination in this matter, the parties agree for the exam to occur on June 14, 2021. The parties further stipulate to this motion, asking the Court to allow Defendant to disclose any expert opinion arising out of the June 14, 2021 exam no later than July 9, 2021. This proposed limited modification of the case schedule will permit the parties to complete anticipated discovery in reasonably expedient manner agreeable to both parties. The parties do not foresee at this time that this limited modification will impact any other case schedule deadlines.

SO STIPULATED this 21<sup>st</sup> day of April, 2021.

s/ Christopher Pierce-Wright

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ORDER

This matter having come before the Court on the parties' stipulated motion to amend the disclosure deadline for Defendant's expert medical report; the Court having considered that the parties have jointly agreed and stipulated to a continuance of the expert disclosure deadline related to Plaintiff's medical exam on a showing of agreed good cause; the Court having reviewed the motion, and the records and files herein; the Court is fully advised and finds that the motion should be granted as there are extraordinary circumstances, set forth above, such that there is adequate basis for the requested relief.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The stipulated motion is GRANTED. It is further ORDERED that:
2. Defendant's disclosure of expert testimony under FRCP 26(a)(2) associated with the June 14, 2021 medical exam shall be due no later than July 9, 2021.

It is so ordered this 21<sup>st</sup> day of April, 2021.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

JOINTLY PRESENTED BY:

s/ Christopher Pierce-Wright

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**CERTIFICATE OF SERVICE**

The undersigned certifies that under penalty of perjury under the laws of the State of Washington that on the below date I caused to be served the foregoing document on:

**Attorney for Insured**

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☐ Via U.S. Mail

☐ Via Facsimile: 360-733-5785

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**SIGNED** this 21<sup>st</sup> day of April, 2021, at Seattle, Washington.

s/ Traci Jay

Traci Jay

